



# Oregon Association of Community Corrections Directors

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## Association Meeting

**Date:** July 12, 2023 | Day 1

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**Location:** Mill Creek Casino, 3201 Tremont Ave, North Bend, Oregon (Coos County)

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Nate Gairan, President | Dale Primmer, Vice President

Jodi Merritt, Secretary | Kristen Hanthorn, Treasurer | Aaron Hartman, Past President

### Welcome: Nate Gairan

Nate Gairan expressed we have a lot to discuss over the next couple days. Identified we're going to talk about budget and our future; where we're at in terms of the state of the Union for Community Corrections. Nate expressed a desire to have a robust conversation and encouraged involvement from all that were at the table.

### Mike Crim – Coos County

Mike Crim thanked everyone for coming and thanked Kelly and Jenny for putting together the venue and all that went with hosting. Mike introduced Commissioner John Sweet, who provided a brief introduction and welcome to Coos County.

### Recognition

Nate Gairan expressed recognition of accomplishments of our colleagues. Nate recognized Larry Evenson who will be the new Columbia County Director beginning July 30<sup>th</sup>. We will have a recognition for Kurt Symons retirement a little while later. Also, recognition of Aaron Hartman as past President of OACCD for the past couple year, further recognition of Aaron will be in Klamath County in September.

### Legislative Updates

Nate identified that DOC - SB 5504 didn't come out how we wanted it to; we wanted \$284M but fell short. Jeremiah Stromberg will provide more information in the DOC updates. Also, HB 2645 Fentanyl Bill has passed, Jeremiah will provide more information on that as well. We can possibly anticipate our caseloads will increase just slightly as it relates to the analytics and the anticipated increase to those cases moving forward. This adjustment will provide the opportunity to get some services to that population that is struggling with addiction.

The Lobbyists contract ends this July, we have looked at some additional options to explore. We've had some conversations with our current lobbyists, and I would just summarize that I think we can obtain some additional support that might look a little bit different than our current lobbyists. The Exec Team has interviewed a different lobbyist team and I would ask that that you support the direction of the Executive Team to move in a different direction.

- **Donovan Dumire provided a motion to empower the Executive Team to explore other options;**
- **Mike Crim seconded the motion.**
- **No further discussion – vote provided, motion passed unanimously.**

Some discussion around concerns with current lobbyists, there were some mis-steps around lobbying for budget, misinformation was provided and was not corrected for about 3 weeks. This presented a concern that started further conversations based on communication, expectations, and results. Nate did receive a recommendation from the District Attorney's association lobbyist, Amanda Dalton, who recommended Jenny Dressler. The Exec Team met with Jenny Dressler and J.L. Wilson to discuss lobbying services. It was a good discussion and provided an insight on the potential for our organization.

### **Strategic Planning**

We are at a crossroads with Community Corrections and we have an opportunity, not just through reform initiatives, but also through strategic planning moving forward. We're losing some ground, when it comes to budgeting, messaging, local control and overall identity. EBP and people centered approaches are not being prioritized and/or supported by the legislature. We need to re-prioritize through strategic planning and get back to the fundamentals; to include assessments, case planning and supervision. The plan is to incorporate the new lobbyists into the strategic planning process to further assist with our messaging.

The Executive Team has interviewed four different contractors for our strategic planning process. The Exec Team has come up with a recommendation for all of you to consider. We would like to move forward with 'Managing Results,' they were the consultant for the Sheriff's Association for their strategic planning process. They are very open to our ideas and have identified that they are willing/able to meet individually and as small groups; in addition to a day and a half retreat. Additionally, they identified they would assist in an implementation plan with us, to further support our forward movement. Cost is approximately \$46,000 for this strategic planning process.

Top priorities identified: Technology development; dashboards; recruit / retain personnel; budget; increase skill set and capabilities of lobbyists; provide own legislative priorities and concepts; training-certifications, more accountability for practitioners; reduce disparities – DEI; educating / messaging of what we do; back to basics; provide victims a voice; message what we do and difference between condition based supervision and person centered life-changing supervision; collaboration with other stakeholders; local control; be more political, defend ourselves and take positions. What are we measuring? Just recidivism, is that an appropriate measurement? Etc. What about employment, treatment, positive case closures, EDIS, RNR principles, 60-day assessments.

The Executive Team did analyze our budget and determined we can afford moving forward with the Strategic Planning and any adjustments we may make to our lobbyists.

- **Mike Crim provided a motion to contract with Managing Results for our strategic planning;**
- **Tanner Wark seconded the motion;**
- **No further discussion – vote provided, motion passed unanimously.**

### **DOC Updates**

Jeremiah Stromberg identified that had a few updates to provide and started with Amy Bertrand. Amy identified DOC, along with Oregon Workforce partnership, received a fairly large Department of Labor grant that will provide approx. \$3.8M to expand the work source pilot to all facilities in Oregon. Second update is related to SNAP benefits, an email was sent out about this, and ultimately the process will be changing. Our team is developing a process that will allow for AIC's to have SNAP benefits applied to their Oregon Trail card the day of release; right now they are releasing without that food benefit. We anticipate starting that process in August. Lastly, Hank Harris' last day was Friday and Chris Criswell to step in behind him. Chris and Melanie will be the point of contacts for anything release planning.

Brooke Vice expressed that they will be working toward updating the sanctioning grid – last one was done in 2017. Wanting a workgroup to assist:

- Directors – Mike Crim, Jay Scroggins, Jodi Merritt, Jay Bergman, Larry Evenson.
- Judicial Support – possibly a judge to assist. Jay Scroggins and Aaron Hartman identified they may have someone. Will get back to Brooke.
- PO's – Malcolm, Donovan, Maureen and Jake will identify some to assist.
- PO Supervisors – Washington County, Josephine County and Marion County have some to assist
- DA/Defense representation – Kiki may have a DA to assist and Donovan identified he may have a defense attorney to assist.

Timeline for this project is looking to begin in the Fall.

Judy Bell discussed that there is a gap between the court sentencing to LSA with a turn-self in date (TSI), when the AOS fails to TSI, it gets messy and every jurisdiction does this a bit differently. Judy expressed she sent an email out about this prior to our meeting. Confusion as to who issues the warrant for this individual and sometimes it goes for months before anything is done on that case. Lack of data entry and lack of victim notification. Need a practice change and hoping to mirror the institution; LSA usually mirrors the Parole Board. Refer to email sent by Judy – dated July 6, 2023 (attached). DOC to check in with DOJ to determine when LSA authority begins. Next steps, past DOJ review, discuss with Sheriff's Association/Jails. Judy also identified they are working on the LSA manual, so revisions should be coming forward soon.

Mark Patterson provided an update on Earned Discharge, SB 581 passed in the current legislative cycle expanding eligibility for reduction in supervision to individuals on post-prison supervision whose sentences were imposed before January 1, 2022. It also makes the Department of Correction's required rules related to the process for notification of eligibility for a sentence reduction applicable to sentences imposed before January 1, 2022, in addition to those imposed on or after January 1, 2022. What this means is:

*(2) All persons convicted of a felony, designated drug-related misdemeanor, or a designated person misdemeanor and sentenced on or after August 1, 2013, to probation, to post-prison supervision, or to the legal and physical custody of the supervisory authority under ORS 137.124(2) shall serve a minimum period of supervision before consideration for earned discharge under these rules. (Crime restricted)"*

Effective date for SB 581 and new rules will be **January 1, 2024**. Below are the next steps the DOC will take prior to the effective date: DOC will re-convene the EDIS workgroup on July 14th to discuss whether there needs to be any adjustments to the rule; DOC will remove the language from the old rule and replace with the new rule language that was adopted January 1, 2022, and any changes as a result of the workgroup; and DOC will present at the September OACCD with updates on the new rule and what to expect prior to roll out.

Denise ran some numbers and identified 9500 cases would be eligible for review. There will be crime restrictions in the new rule and they project, roughly, 5,000 cases would come up for review January 1, 2024.

Jeremiah Stromberg discussed the updated budget pac-man report. Governor has not signed the DOC bill yet, but we anticipate it happening soon. DOC's \$2.2B budget is provided in a 500 page document, they are in the process of unpacking that. Estimate at this time (Governor has not signed):

- GIA - \$252M (includes supplemental funding for personnel retention)
- SVDO - \$183k
- M57 - \$12.7M
- Transitional funds - \$1M
- FSAP (5 counties) - \$2.1M
- Linn/Douglas - \$1.6M
- DUII/Jail Reimbursements - \$4M (anticipate a greater need – approx. \$5.5M) may be an E-board or short session request.
- Criminal fines - \$5.1M
- DOC Operating \$4.7M

As Nate mentioned – the Fentanyl Bill – looking to see if that line item is identified in budget. Determined the cost of the new Fentanyl Bill this biennium is \$150k; following biennium anticipated \$500k. There was an emergency clause on this bill.

Jay Scroggins asked that the Pac-Man graph separates the supplemental funding for personnel from GIA, this will provide a clearer picture for Administrators/Commissioners, etc.

Jeremiah identified additional programs funded for DOC to address the entry of drugs within the facilities. Funded to focus on deterrents and on treatment. Funding to expand treatment into all facilities and to start a K9 program at 2 facilities; a K9 at a facility that has treatment but is not identified to expand treatment services, send another K9 to a facility that is expanding treatment and monitor a facility that is just expanding treatment. They will also be testing waste water at the facilities to see if there is a reduction. K9's will be randomly monitoring visitation and staff entry locations.

VINE update – Jeremiah identified they are moving forward with the new vendor/system for victim notification. In process of terminating VINE and going with new system – VISOR. Currently in 5<sup>th</sup> month of deployment of moving away from VINE, all 32 jails are fully equipped. Having some struggles with Klamath, Jefferson and Lane Counties; may be hearing from Parrish from DOC for assistance with the process. On target to conduct parallel testing for 30 days, beginning October 31 – end of November, both systems will run parallel to assure no issues. Creating marketing materials to be distributed to local offices on how to register in new system, current registrants in VINE will automatically be registered in the new system, they do not need to do anything. November meeting will be a good time to receive an update on the transition to VISOR.

Denise Sitler identified first quarter payments were processed a few days ago. As a reminder, process for the beginning of the biennium: DOC will provide 1<sup>st</sup> quarter payment which will be the same as quarter 8 payment from past biennium. No more payments will be provided until DOC has your signed IGA and CCA Plan. 2<sup>nd</sup> quarter payment will be adjusted based on your actual funding allocation for the 23-25 biennium; if overpaid in 1<sup>st</sup> quarter distribution, it will be adjusted in your 2<sup>nd</sup> quarter payment. Reminder – biennial plans are due no later than 90 days from close of legislature, reach out to Jeremiah if you need an extension.

### **Parole Board Updates**

Dylan Arthur identified the Court of Appeals struck down the enhanced computer condition for a second time. The Board worked with DOJ to develop yet another enhanced computer condition, which is now broken down into 3 conditions (refer back to memo forwarded by the Board).

- First condition – access to one cell phone and one computer; PO can do random, unannounced searches.
- Second condition – prohibits access to a storage device that PO doesn't know about and allows for unannounced searches
- Third condition – complete prohibition on specified devices due to ongoing violations of the first/second condition.

The Court of Appeals has said both times that they are very reluctant to prohibit anybody from having access to the Internet, having access to computers, having access to smartphones. They are fearful that a PO will prevent their clients from accessing ATM's and self-checkouts.

Friendly reminder to your PO's – suspend and detain and notice of rights need to be issued within the first 15 days or we will have to lift our hold and the client will be released. The hearings officer identified yesterday that this continues to happen on a weekly basis and it is not one county that is the culprit. Please provide reminders to your PO's and supervisors.

SB 951 allowed certified Parole/Probation Officer to maintain their certification and Police & Fire passed and will be in effect January 1, 2024. There are a couple Board member terms expiring soon, these will be sent out to everyone.

### **SB 808 – Kiki Parker – Rose**

SB 808 goes into effect January 1, 2024. The Oregon Commission on Statewide Law Enforcement Standards of Conduct and Discipline committee put together rules and recommendations specifically for law enforcement, to include Parole/Probation Officers, relating to the administration of discipline and how arbitrators can make findings of discipline. This will affect represented staff and CBA's, and should be considered during future negotiations. Kiki has reached out to DOJ and has asked them to come to OACCD and provide a presentation, she will circle back when she hears back. Kiki will send out the bill to all Director's.

### **Contact Standards Update – Debrief July 6<sup>th</sup> Meeting**

Nate Gairan opened up a discussion around the SB 1510 Workgroup and the resulting contact standards that are in draft OAR. Brooke Vice hosted a virtual meeting on July 6<sup>th</sup> to further discuss the draft OAR. There has been a lot of discussion from the Executive Team and other Director's around the State. Denise Sitler provided data sheets for each county identifying current county identified contact standards, contacts completed and what the new standard would be. The draft rule identifies measurable contacts requiring 4 measurable contacts for highs and 2 for medium's within 30 days. Brooke identified moving forward they would like to look at this as a 2 year pilot, to see how this new rule interacts with each individual office. The information would be included in the CCR's moving forward but would not reflect comparison to State standards.

Concern there are clients that are unavailable; absconding, in treatment, rescheduling appointments, etc. that would reflect negatively in the reporting. The data is unable to reflect these circumstances and is concerning. There is the requirement for one contact for Lows, which can be done through monthly reports, they are also required to be notified of EDIS eligibility quarterly, however each agency decides to do that. Donovan Dumire asked if any county has been able to meet these standards currently and how their caseload sizes measure, as there is concern with current funding reductions and how this may be managed locally.

Jodi Merritt clarified how the new contact standards were formulated. It was identified that all contacts were compiled, to include measurable and collateral, they were averaged which resulted in the recommended 4 measurable for highs and 2 measurable for medium.

Brooke identified this pilot period acknowledges the understanding that there would need some practice changes needed within each county and this would allow for training and adjustment. There is concern that these new contact standards may directly contradict the intent of the bill. Jeremiah expressed that the advocacy community wanted us to embrace least onerous COVID era approaches/contacts, of which we did with allowed virtual visits, telephone visits, etc. He identified the advocacy communities goals were met with this adjusted, they may not have fully understood the contact implications. This new rule raises the bar and gets us back to what is reasonable and practical, DOC has no desire to put in place a rule that has no meaning or benefit, that is completely unattainable and may be ineffective. Many Director's identified support for a statewide contact standard however there was continued concern as to whether the current recommendation was attainable. Jay B. also identified there is concern with EPICS counties and meeting these expectations. Again, DOC is piloting this and will put together data reports to assist counties in tracking. The positive is that this will identify a state-wide standard, could be beneficial in our strategic planning and messaging moving forward.

## Supervision Leadership Group

Larry Evenson provided an update on the Supervision Leadership Group, they had their first meeting in June with 13 counties participating with about 18-20 supervisors. We elected our chair and our co-chair and developed 2 subgroups: training and mentorship. We had good discussion around the role of the Supervision Leadership Network with some ideas including: assisting with the sanctioning grid and implementation of new contact standards. We discussed ways to deliver training for our leadership requirements and similar opportunities.

## Recognition

Nate provided recognition to Kurt Symons, Director of Jefferson County, congratulating him on his retirement and appreciation of his continued dedication to Community Corrections.

## Sub Group Discussion/Report Out

Quick reminder that we are wanting the subgroups to bring updates/items to OACCD for approval before rolling out to entire membership. This was prompted by the update to the FAUG rules that was distributed, though there weren't any additions but formatting updates, just want to be sure OACCD sees and approves before providing to everyone.

Nate requested that if anyone believes there is no longer a need for a particular sub-group or if someone is not wanting to participate in a sub-group, as it has ran its course, please let him know.

- Alcohol and Drug Policy Committee – Nate identified Ann Elise is the new Executive Director which tells us that the Governor's office is taking ADPC a bit more seriously, hoping to be able to implement its most recently completed strategic planning. Nate asked if this information was valuable for OACCD and the BM 110 data, it was agreed to continue.
- SOSN – Malcolm expressed there is a static/stable refresher next week in Clackamas County, have about 40-45 participants which is about 90% of your SO PO's. They will do an IRR on the assessment onsite, so there will be feedback provided. The Sex Offender Specialist training will be in December in Clackamas County. Still looking for a replacement for Malcolm for SOSN.
- FVSN – Scott Hyde identified their next meeting will be in Bend in August. DV academy will be in person in Clackamas County in October.
- Supportive Housing – Donovan identified there wasn't much of an update, he receives mailing information that he passes on. Donovan stated he is happy to continue to report out but leaves it to the group, determined continued representation is a positive.
- FAUG – Jodi has requested removal from FAUG due to scheduling conflicts. Jamie Tynan from Multnomah County has agreed to step in. Jodi has not been able to attend the last few meetings due to conflicts.
- MHSN – Larry Evenson stated they had their first meeting in Bend, which was combined with the Case Planning Network. They are revising their overall charter for OCMN to include Gender and MH Networks. Gender had their Gender training camp, which went well. Mental Health formed a couple subgroups to establish what should happen on a MH caseload, criteria for designating someone on a MH caseload. OCMN meeting - went over IRR with the LSCMI, overall the state did well, they did decide to throw out one question. One item that came up is that they have 3 large components of this network: Gender, MH, and Case management. They have decided to try to alternate Gender and MH meetings Wednesdays to help accommodate the need. This does extend out the meeting times/travel, requesting approval from OACCD for this modification; approval provided.
- Supervision Network – Larry Evenson requested approval of their Charter for this network, he provided this before our last meeting to all Director's. This was discussed at our last meeting with recommendation to approve and launch as an official network, looking for approval of the charter for this network. Nate asked to table this piece for tomorrow.

- Pretrial – Jessica Beach provided an update virtually. Next meeting October 31<sup>st</sup> virtually from 1-5p, discussion around meeting in person. Next agenda will have a presenter from Kentucky to talk about monitoring and pretrial overall. Since SB 48 there has been more involvement from OJD. Nate asked if there has been pressure of Community Corrections to be more involved with pretrial and release counselors with monitoring with electronic monitoring and GPS, etc. Jessica identified SB 48 established three tiers with focus on those legislative jurisdictions that did not have pretrial, to establish the program with release assistance officers. Jay S. identified SB 48 established consistent release criteria. The bill does not establish an expectation that Community Corrections does anything, it re-establishes current statutory language that release conditions must be provided by OJD staff.
- CCAN – Dr. Marci Nelson expressed excitement around the strategic planning work and the focus on victims in this plan. She identified that out of 36 counties there 5-6 counties that have an advocate embedded in Community Corrections. CCAN would like to see that expand and are asking this group consider funding and/or expand this work. Also, this group has been tracking HB 2054, which requests the DA's to be recognized under police and fire benefits. This is awaiting signature by the Governor. The CCAN group is discussing victim's advocates and the trauma/exposure they face in their daily work and whether it would be appropriate to take steps to focus on advocates in this manner as well.
- DOJ BIP Advisory Committee – Aaron Hartman expressed that this group has not met.
- SOON/FSN – Judy Bell expressed SOON met in person June 8<sup>th</sup> in Polk County. They were scheduled to meet in August in Bend but this changed. They are discussing alternating in person and virtually, the group is flexible in how they meet. They are excited about the proposal that was brought earlier. FSN met in person on April 27<sup>th</sup> and they're scheduled to meet again July 27<sup>th</sup> in Tillamook.
- Data Group – Tanner Wark identified the 60 day assessments have been updated on the dashboard as of yesterday. He identified the quarterly report has been updated to be more user friendly. Also requested further discussion around 'don't go to Deschutes thing'.

### Closing

Tomorrow we will have a training provided Donovan Dumire and Survival Skills Group, focus on training to this group to assist in meeting our maintenance standards. There will be an F6 provided as well.

Nate wished Dale Primmer a Happy Birthday!

**Date:** July 13, 2023 | Day 2

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### Use of Force Training

Donovan Dumire expressed that there has been focus in Lane County to take care of ourselves, teaching folks on how to fitness, mindfulness, nutrition, self-care, and provide tools for healthy lifestyles. Additionally, we've been in close collaboration with the DPSST around skills facilitator training for defensive tactics specific to our profession. We will be working on that and opening it up to everyone.

Anna Lardner, Lane County PPO, provided a Use of Force Refresher training (slides available/attached).

### Survival Skills Network

Nate identified this network originally began prior to COVID and unfortunately, never moved forward. Through discussion it was identified that we would like this network group to move forward.

- **Mike Crim provided a motion to adopt the Survival Skills Group as an official Charter;**

- **Jodi Merritt seconded the motion;**
- **No further discussion – vote provided, motion passed unanimously.**

### Closing Discussion

- Deschutes: There were previous discussions around avoiding Deschutes County due to increased costs. The group had decided previously to divert meetings from Deschutes to assure compliance with per diem rates, etc. Tanner expressed he is working on assuring our groups are able to receive fair pricing. If groups have already made plans, they are fine to continue however there needs to be consideration moving forward and/or until we hear more from Tanner.
- Kiki Parker-Rose sent out the SB 808 information via email.
- Nate has contacted the vendor for strategic planning and set up a meeting, if you would like to be included, let him know and he will send you the link.
- Lots have been achieved during this meeting
  - New Charter adopted
  - Empowered the Exec Team to explore new lobbyists
  - Agreed to contract for Strategic Planning
- Supervision Leadership Network – revisit adoption of the Charter
  - **Jodi Merritt provided a motion to adopt the by-laws for the Supervision Leadership Network;**
  - **Donovan Dumire seconded the motion;**
  - **No further discussion – vote provided, motion passes unanimously.**